

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
)	CRIMINAL ACTION
v.)	
)	NO. 04-10299-PBS
2. DANIEL AGUILAR)	
a.k.a. "Lik")	
3. ROBERTO SOLORIO,)	
4. RICARDO MANUEL ESTRADA)	
)	

**GOVERNMENT'S MOTION PURSUANT TO
UNITED STATES V. RENGIFO REGARDING ENGLISH-LANGUAGE
TRANSLATIONS OF TAPE-RECORDED SPANISH WIRETAP CONVERSATIONS**

The United States respectfully moves for leave to introduce into evidence at trial (1) copies of original tape recordings made during the investigation of this case, which recordings are in Spanish; and (2) Spanish transcripts and English translations of those conversations. The government further requests leave to read into evidence all or part of the English translations and to play some of the recording in Spanish with the assistance of the Sanction Courtroom Presentation Software.¹

As grounds for this motion, the government states as follows:

During the investigation that led to this case, the government made tape recordings of conversations that were intercepted pursuant to court-ordered wiretaps. Many of the recorded conversations were in Spanish. Each of the phone calls

¹The Sanction Program allows the relevant English portion of the transcripts to be highlighted on a computer as the audio in Spanish is played. The program will be used solely as an aid to present evidence already admitted, transcripts and telephone calls, and will not be a separate Exhibit which will be given to the jury during deliberations.

that will be presented as Exhibits will be in Spanish. The government has prepared Spanish transcriptions and English translations of a number of those tape recordings that contain conversations in which the defendants were participants. The government has provided final copies of these transcripts and translations to the defense.

The government moves for leave to introduce into evidence at trial copies of the original Spanish tape recordings, the Spanish transcriptions and English transcripts of those conversations, and further requests leave to read into evidence all or part of the English transcripts. See United States v. Rengifo, 789 F.2d 975, 983 (1st Cir. 1986) (finding that English-language translations of tape-recorded conversations that originally took place in Spanish are admissible as substantive evidence; that such transcripts may go to the jury room; and that the government may use readers to read the English translations as an alternative to playing the tape recording).

WHEREFORE, for the foregoing reasons, the government's motion for leave to introduce into evidence at trial copies of the original Spanish tape recordings and the English transcripts of those conversations, and to read into evidence all or part of the English transcripts, should be allowed.

Respectfully submitted,

MICHAEL J. SULLIVAN
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Date: February 22, 2006

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/s/ Neil J. Gallagher, Jr.
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